HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION NO.12983 OF 2006

Between:

M/s.e-Care Incin Services

. . .Petitioner

AND

A.P.Pollution Control Board

. . .Respondent

Counsel for the petitioner : Shri V.Venkata Ramana

Counsel for the respondent : Shri S.V.Bhatt

Dated: 9th August, 2006

: ORDER :

PER G.S.SINGHVI, CJ

In this petition, the petitioner has made the following substantive prayer:

> "It is therefore prayed that the Honourable Court may be pleased to issue a Writ of Mandamus or any other appropriate writ declaring that the petitioner has become statutorily entitled to deemed consent for establishment of a common bio-medical waste treatment facility at Amudaladinne Village, Kavali Mandal, Nellore District since the application of the petitioner for grant of consent under the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 has remained undecided for more than four months and consequently direct the respondent-Board to issue a formal consent order without any further enquiry/query so as to enable the petitioner to establish the bio-medical waste treatment facility."

On the last date of hearing i.e. 29.06.2006, the case was adjourned to enable the respondents to file counter-affidavit within four weeks with liberty to the petitioner to file rejoinder affidavit within next two weeks.

Shri V.Venkata Ramana, learned counsel for the petitioner says that on account of non-filing of counter-affidavit, his client did not have the occasion to file rejoinder affidavit.

Shri S.V.Bhatt, learned Standing Counsel for the Andhra Pradesh Pollution Control Board requests for an adjournment but

keeping in view the innocuous nature of the prayer made by the petitioner, we do not consider it necessary to defer the disposal of the writ petition and feel that ends of justice would be met by directing the respondents to dispose of the application filed by the petitioner for grant of consent for establishing bio-medical waste treatment facility at Amudaladinne Village, Kavali Mandal, Nellore District within a period of two weeks and communicate order to the petitioner. Ordered accordingly.

As a sequel to disposal of main writ petition, W.P.M.P. No.16135 of 2006 filed by the petitioner is also disposed of as infructuous.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY, J

Date: 09.08.2006

Note: The Court Officer is directed to give an attested copy of this order to the learned counsel for the parties.

kvni